

REMARKS

Claims 1 to 35 were pending in this application. Claims 1-35 are cancelled. Claims 36-62 are added. No new matter is being added.

The Examiner rejected claims 1-4, 7-9, 11, 14-21, 23-25, 27-28 and 31-35 under 35 U.S.C. § 102(3) as being anticipated by Borrel et al. (Borrel). Claim 36 is illustrative of the claims now pending, and recites:

A method for optimizing non-interactive three-dimensional content for playback on a target device, the method comprising:

applying a first optimization to the content to obtain a first optimized result, the first optimization associated with a model of the target device;

comparing the first optimized result against ideal results to determine a first error measurement;

responsive to the error measurement exceeding a threshold:

applying a second optimization to the content to obtain a second optimized result, the second optimization associated with the target device; and

comparing the second optimized result against the ideal results to determine a second error measurement, the second error measurement not exceeding the threshold.

The claimed invention enables improved rendering of non-interactive three-dimensional content by employing a series of optimizations associated with a model of a target device. One benefit of the claimed invention is that it allows non-interactive three-dimensional content to be rendered differently depending on the device on which it will be played back.

Borrel does not disclose the claimed invention. Borrel discloses a method and apparatus for delivering 3D graphics in a networked environment using a client-server pair, in which the server stores raw 3D data and delivers it to the client according to a user's actions. While Borrel's server may process some 3D data by rendering it into "ziedo," Borrel does not perform an optimization "associated with a model of the target device," as claimed. Instead, Borrel's descriptor generator requires bidirectional communication with the target (client), thereby necessitating a one-to-one server-client ratio. Because the claimed invention uses a model of the target device, and because the optimization is performed on non-interactive

content, the claimed invention has no such requirement for communication with the actual target device. Moreover, because Borrel's descriptor generator responds to the client in real-time, the type and degree of optimization possible is necessarily limited by available network bandwidth and by the short turnaround time required for interactivity (typically less than 30ms). The claimed invention has no such limitations because the optimization is performed in advance, on non-interactive content, and therefore produces much higher fidelity images than would be possible using a client-server model. Accordingly Borrel does not teach, suggest or disclose the invention of claim 36.

Dependent claims 37-57 are also patentable over Borrel, both because they depend from patentable independent claim 36, and because they recite their own patentable features.

Claim 58 and its dependent claims 59-60, as well as independent claims 61 and 62 are also patentable over Borrel for reasons analogous to claim 36.

Favorable action and allowance of all claims now pending, claims 36-60 are respectfully solicited. If any matters remain outstanding prior to allowance of the claims, the Examiner is invited to contact the undersigned attorney at (415) 875-2358 or via e-mail at [dbrownstone@fenwick.com](mailto:dbrownstone@fenwick.com).

Respectfully submitted,  
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